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*Duplicate of # 11/B*  
(TUE) 5. 7' 02 15:25/ST. 15:24/NO. 4260454220 P 1

*# 11/B for*  
*12*

1103326-0571

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Desousa, et al.  
Serial No. : 09/341,196 Examiner: G. Gabel  
Filed : July 6, 1999 Group Art Unit: 1641  
For : SCINTILLATION PROXIMITY ASSAY FOR THE  
DETECTION OF PEPTIDOGLYCAN SYNTHESIS

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MAY 10 2002  
GROUP 1600

I hereby certify that this paper is being  
facsimile transmitted to The U.S. Patent  
and Trademark Office, Washington, D.C.  
20231, on May 7, 2002.

Richard J. Sterner  
Agent Name  
*Richard J. Sterner*  
Signature

35,372  
PTO Reg. No.  
May 7, 2002  
Date of Signature

**OFFICIAL**

ATTENTION: Examiner G. Gabel

ART UNIT: 1641

NUMBER OF PAGES: 2

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**AFTER FINAL**

The Assistant Commissioner for Patents  
Washington, D.C. 20231

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE BOARD OF  
PATENT APPEALS AND INTERFERENCES**

Sir:

Applicants hereby appeal to the Board of Patent Appeals and  
Interferences from the Decision dated November 7, 2001 of the  
Primary Examiner finally rejecting claims 2-9. The Assistant

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Commissioner is hereby authorized to charge the \$320 fee ~~May~~ 2002  
required for filing a Notice of Appeal to Deposit Account No. **GROUP 1600**  
23-1703.

In the Amendment and Response they submitted on May 2,  
2002, Applicants requested an extension of time to respond to  
the final Office Action for three months up to and including May  
7, 2002 and paid the fee therefor.

The Assistant Commissioner is hereby authorized to charge  
any additional fees which may be required for any reason to  
Deposit Account No. 23-1703.

Dated: May 7, 2002

Respectfully submitted,



Richard J. Sterner  
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